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August 16, 2011

Chief George Turner  
Atlanta Police Department  
226 Peachtree Street, S.W.  
Atlanta, Georgia 30303

RE: Complaint of Aaron Lewis, #11-25

Dear Chief Turner:

#### MAYOR OF ATLANTA

Kasim Reed

#### ATLANTA CITY COUNCIL

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Councilman

The Atlanta Citizen Review Board ("ACRB") completed its investigation and adjudication of the complaint that was filed by Aaron Lewis alleging that Officer Gregory Dubose falsely imprisoned him when he detained him without legal justification on March 22, 2011.

Mr. Lewis said that he was stopped by Officer Dubose on March 22, 2011 at about 2:35 p.m. while he was driving on Cleveland Avenue near Interstate 75 North. His two year old son was strapped in a car seat. Mr. Lewis claims that he had his seat belt buckled. He said the officer did not respond when he asked him why he was stopped. The officer asked for his license and registration and Mr. Lewis said he responded by asking why he was stopped. This went on about five or six more times and Officer Dubose ordered him out of the vehicle. He claims that he undid his seatbelt and the Officer told him not to reach for anything and grabbed his arm, unlocked the door, unstrapped him, placed him in cuffs and pulled him out of the vehicle. Mr. Lewis claims that his son began to cry and he still had not told him why he had stopped him. He was told to stand by the vehicle and asked if there was anyone that could come and get his son. Mr. Lewis responded by asking why and the officer told him he was going to jail. He said that Officer Dubose continued to ask him for his license so he asked Officer Dubose to un-cuff him so he could get it. He said the officer went to the rear passenger side of his car, opened the door, looked inside and then closed the door. He then went to the driver's side of the vehicle, opened the door, pulled the lever for the trunk, and went through his belongings, found his wallet and removed his driver's license. Officer Dubose went back to his motorcycle, ran a computer check on him and wrote him a citation for failure to wear a seatbelt. Officer Dubose removed the handcuffs and gave him a citation for the seatbelt violation. Mr. Lewis claims that he was detained for 45 minutes.

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Mr. Lewis claims that he told the officer he did not have permission to search the car for his license and he said that he believes he was profiled because he is a black man with long dreadlocks.

Court records revealed that Officer Dubose gave Mr. Lewis a traffic citation for failure to wear a seatbelt and the case was pending at the time of this adjudication. The police radio transmissions indicate that Officer Dubose stopped the car at Cleveland Avenue and Interstate 75 and conducted a computer check on the vehicle's tag. The stop commenced at 2:30 p.m. and ended at 2:44 p.m.

Officer Dubose indicated that he stopped the car for the seatbelt violation. He asked the driver for his license and registration and explained the reason for the stop. Mr. Lewis told him he did not have a driver's license and added that he was within his rights to drive without a license. He ordered Mr. Lewis out of the car, handcuffed him and told him he would be detained until he could confirm his identity; adding that Mr. Lewis refused to provide his license. He told Mr. Lewis that he would be arrested if he did not produce his license and at that point, Mr. Lewis told him that his license was in the front pocket of his book bag which was located in the trunk and that he would get it. Officer Dubose explained that he could not remove the cuffs and Mr. Lewis gave him permission to retrieve his wallet. Officer Dubose lifted the lever and the trunk opened. He located the book bag, found the wallet and removed the driver's license. He conducted a computer check via ACIC and everything came back okay. He issued the citation and let Mr. Lewis leave.

The Board considered this evidence and voted to recommend a finding of **Not Sustained** be assigned to the allegation of false imprisonment. The Board did not investigate or consider the allegation that the search was improper. The Board further recommends that all police vehicles, including motorcycles, be equipped with recording devices so that these types of allegations can be resolved more definitively.

Please let me know if you have any questions or concerns or if you would like to have a copy of the full investigation. The ordinance requires the Chief to respond in writing regarding which recommendations are accepted, rejected, or will be implemented with modifications within thirty (30) days of the submission of a recommendation for action by the Board to the Chief. See Sec. 2-2211(O) of Ordinance 07-0-0141.

Sincerely,



Joy Morrissey,  
Board Chair

cc: Mayor Kasim Reed  
Council President Caesar Mitchell  
Members of Atlanta City Council  
ACRB Members